

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 15-315 (MJD/TNL)

UNITED STATES OF AMERICA,

Plaintiff,

v.

**PRELIMINARY ORDER
OF FORFEITURE**

JOSHUA LEE BEARDEMPHL,

Defendant.

Based on the United States' motion for a Preliminary Order of Forfeiture; on the Plea Agreement entered into between the United States and Defendant Joshua Lee Beardemphl; and on the Court's determination that, based on the Plea Agreement entered into by the defendant and based on all of the files and records of this proceeding, the government has established the requisite nexus between such property and the offense to which the defendant has pled guilty,

IT IS HEREBY ORDERED that:

1. The Motion of the United States for a Preliminary Order of Forfeiture [Docket No. 38] is GRANTED;

2. The following property is forfeited to the United States pursuant to 18 U.S.C. § 924(d)(1), in conjunction with 28 U.S.C. § 2461(c):

- a. Norinco model SKS, 7.62 x 39-millimeter semi-automatic carbine rifle, serial number 1604287;
- b. Springfield Armory model 1911-A1, .45-caliber semi-automatic pistol, serial no. WW52472; and
- c. All associated ammunition and accessories, including 36 rounds of Winchester brand 9-millimeter 115 grain ammunition.

3. The Attorney General or her authorized designee may seize the foregoing property and maintain custody and control of the property pending the entry of a Final Order of Forfeiture;

4. The United States shall, pursuant to 21 U.S.C. § 853(n)(1), as incorporated by 28 U.S.C. § 2461(c), publish and give notice of this Order and its intent to dispose of the foregoing property in such manner as the Attorney General may direct;

5. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of his sentencing, and shall be made a part of his sentence and included in the criminal judgment;

6. Following the Court's disposition of all petitions filed pursuant to 21 U.S.C. § 853(n)(2) or, if no petitions are filed, following the expiration of the time period specified within which to file such petitions, the United States shall have clear title to the foregoing property and may warrant good title to any subsequent purchaser or transferee; and

7. This Court shall retain jurisdiction to enforce this Order, and to amend it as necessary pursuant to Fed. R. Crim. P. 32.2(e).

Dated: July 19, 2016

s/ Michael J. Davis

MICHAEL J. DAVIS
United States District Court